

#9
K
6-12-01
of attachment

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HADLACZKY *et al.*

Serial No. 09/724,693

Confirmation No.: 7857

Filed: November 28, 2000

For: *ARTIFICIAL CHROMOSOMES,
USES THEREOF AND METHODS
FOR PREPARING ARTIFICIAL
CHROMOSOMES*

Art Unit: 1632

Examiner: Unassigned

RECEIVED

MAY 30 2001

TECH CENTER 1600/2900

01-1111-29 P12:20
RECEIVED
MAY 29 2001
U.S. PATENT AND TRADEMARK OFFICE

Commissioner for Patents
Washington, D.C. 20231

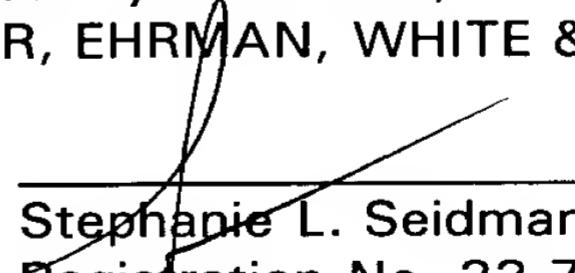
Sir:

Transmitted herewith, via hand delivery, are an Information Disclosure Statement, Forms PTO-1449 (28 pages), cited references and a Change of Address Form for filing in connection with the above-identified application. Because this Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 50-1213, as stated below:

[X] The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:


Stephanie L. Seidman
Registration No. 33,779

Dated: May 25, 2001

Attorney Docket No. 24601-402G

Address all correspondence to:

Stephanie L. Seidman, Esq.

HELLER, EHRMAN, WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, Suite 600

San Diego, CA 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

EMAIL: sseidman@hewm.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HADLACZKY *et al.*

Serial No. 09/724,693

Confirmation No.: 7857

Filed: November 28, 2000

For: *ARTIFICIAL CHROMOSOMES,
USES THEREOF AND METHODS
FOR PREPARING ARTIFICIAL
CHROMOSOMES*

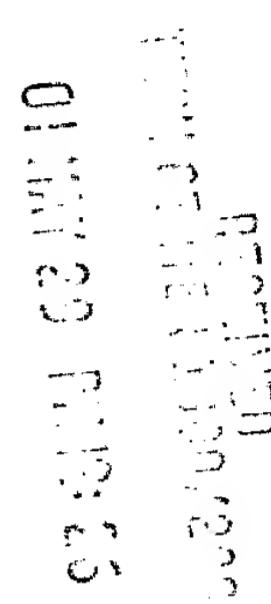
Art Unit: 1632

Examiner: Unassigned

RECEIVED

MAY 30 2001

TECH CENTER 1600/2900



**INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE
WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (28 pages) is provided herewith in connection with the above-captioned application. With the exception of those items mentioned below, copies of the references listed on the Forms PTO-1449 are not provided herewith as they have been previously provided or cited by the Examiner in connection with U.S. Serial Nos. 08/629,822,

USSN 09/724,693
HADLACZKY *et al.*
INFORMATION DISCLOSURE STATEMENT

08/682,080 (now U.S. Patent No. 6,077,697), 08/695,191 (now U.S. Patent No. 6,025,155) and 08/835,682 which are relied upon for an earlier filing date in accordance with 35 U.S.C. §120.

Items AN, AU, BH, BN, BP, BS, CF, CT, DM, DP, DS, DY, EL, EX, FA, FJ, FL, FN, FR, FS, FY, GA, GO, GP, GS, GT, GX, HS, HW, HY, IA, IF, IK, IS, JG, JO, JR, KH, KN, LA, LE, LJ, LO, LQ, LS, MF, ML, MU, NF, NM, NN, NQ, NW, OH, OI, OP, OW, OX, OZ, PB-PF, PI, PM, and PV listed on the Forms PTO-1449 are supplied herewith, via hand delivery, in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

The above-captioned application relies upon the co-pending U.S. Serial Nos. 08/835,682, 08/695,191 and 08/682,080, now U.S. Patent Nos. 6,025,155 and 6,077,697 respectively, and 08/629,822 for an earlier filing date in accordance with 35 U.S.C. §120. The above-captioned application, is a continuation of U.S. Serial No. 08/835,682, and a continuation-in-part of U.S. Serial Nos. 08/695,191 and 08/682,080, now U.S. Patent Nos. 6,025,155 and 6,077,697 respectively, and 08/629,822. The above-captioned application designates two inventors Gyula Hadlaczky and Aladar A. Szalay and ultimately two assignees, Biological Research Center of the Hungarian Academy of Sciences and Chromos Molecular Systems, Inc. Gyula Hadlaczky assigned to Biological Research Center of the Hungarian Academy of Sciences. Aladar A. Szalay assigned to Loma Linda University and American Gene Therapy. Loma Linda University and American Gene Therapy assigned to Chromos Molecular Systems, Inc. Thus, each of the co-pending applications and the above-captioned application has joint inventors and two assignees.

Applicant also makes known to the Examiner the following U.S. and International applications, which are commonly owned and/or have one or more inventors in common.

**USSN 09/724,693
HADLACZKY *et al.*
INFORMATION DISCLOSURE STATEMENT**

<u>U.S.S.N.</u>	<u>Filing Date</u>
09/096,648	06/12/98
09/724,726	11/28/00
09/724,872	11/28/00
09/799,462	03/05/01
09/836,911	04/17/01

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP
By: _____
Stephanie L. Seidman
Registration No. 33,779

Date: May 25, 2001
Attorney Docket No. 24601-402G
Address all correspondence to:
Stephanie L. Seidman, Esq.
HELLER, EHRMAN, WHITE & McAULIFFE LLP
4350 La Jolla Village Drive, Suite 600
San Diego, CA 92122-1246
Telephone: (858) 450-8400
Facsimile: (858) 587-5360
EMAIL: sseidman@hewm.com